4

1		F. CREEM	23
2	Q.	I understand. In other words, the first	
3		time you say you put your foot on the brake,	
4		did the distance between your car and the	
5		red car, did they get closer?	
6	Α.	Yes.	
7	Q.	When you realized you were getting closer,	
8		did you put more force on your foot pressing	
9		down on the brake?	
10	Α.	Yes.	
11	Q.	What happened, if anything, when you did	
12	×	that?	
13	Α.	It slowed, but not good enough for my	
14		feeling.	
15	Q.	At any time before	
16		MR. GIANNINI:	
17		Withdrawn.	
18	Q.	Eventually there was a contact between the	
19		front of your vehicle and the rear of the	
20		red vehicle?	
21	Α.	Yes.	
22	Q.	At any time before that did you see the red	
23		car come to a stop?	
24	Α.	Not a stop, no. It was always in front of	
25		me.	

1		F. CREEM	24
2	Q.	Did you see it change its speed or decrease	
3		its speed?	
4	Α.	I think it changed its speed because it was	
5		there.	to
6	Q.	When you say it changed its speed did it go	
7		slower or faster?	
8	Α.	Slower.	
9	Q.	When you saw it change its speed to a slower	
10		speed is that when you put more force on the	
11		brake?	
12	Α.	Yes. The more I saw it in front of me the	
13		more I applied the brake.	
14	Q.	As you did that was there did anything	
15		happen with respect to your vehicle?	
16	Α.	It stopped a little bit, but not it just	
17		kept going slower. Like I say, there was	
18		the incline, so I could feel the momentum of	
19		the hill.	
20		MR. O'SHAUGHNESSY:	
21		Indicating the downward direction.	
22	MR.	GIANNINI:	
23	Q.	When you say in (interrupted)	
24	Α.	Down the hill. It goes like this and goes	
25	12	like that and it gets more elevation to it,	

1	k	F. CREEM	25
2		it gets more momentum (indicating).	
3		MR. O'SHAUGHNESSY:	
4		Indicating cresting over a hill and	
5		then going down.	
6	MR. Gl	IANNINI:	
7	Q.	If I understand you correctly before, there	
8		came a time when you put more force on the	
9		brake; correct?	
10	Α.	Uh-huh.	
11	Q.	Yes?	
12	Α.	Yes.	
13	Q.	At the time that you did that, what was the	
14		red car doing ahead of you?	
15	Α.	It was just going.	
16	Q.	It was moving?	
17	Α.	You know, it was near me. It had to be	
18		moving. It was there. I don't know how to	
19		describe it.	
20	Q.	I'm just trying to find out (interrupted)	
21	Α.	It didn't stop.	
22	Q.	Let me ask you this question	
23		(interrupted)	
24	Α.	Like I said, is it didn't (interrupted)	
25	Q.	Let me ask you this question: At any time	

-		F. CREEM	26
1			20
2		did you see the red car come to a stop?	
3	Α.	Dead stop, no.	
4	Q.	When you applied the brake more forcely as	
5		you described before, did you press down as	
6		hard as you could?	
7	Α.	I stomped on them.	
8	Q.	You stomped on them?	
9	A.	Yes.	
10	Q.	Does that mean you continually had your foot	
11		pressing down on the brake?	
12	Α.	Yes.	
13	Q.	What happened, if anything?	
14	Α.	I hit her.	
15	Q.	Your vehicle did not come to a stop?	
16	Α.	No.	
17	Q.	Let me rephrase that question. Did your	
18		vehicle come to a stop before the contact	
19		with the red vehicle?	
20	Α.	No.	
21	Q.	How would you describe the impact between	
22		your vehicle and the red vehicle?	
23	A.	Loud bang and she pulled over to the side.	
24	Q.	Was it a heavy impact or medium impact? How	
25		would you describe it?	

1		F. CREEM	27
2	Α.	To me it sounded very heavy.	
3	Q.	When you say she pulled over to the side,	
4		you are talking about the operator of the	
5		red vehicle?	
6	Α.	Uh-huh.	
7	Q.	Yes?	
8	Α.	Yes.	
9	Q.	Which side did she pull over?	
10	Α.	To the driver's side.	
11	Q.	So she went further into the roadway?	
12	Α.	Yes.	
13	Q.	Did you see what happened to that red	
14		vehicle, if anything, when she did that?	
15	Α.	She kept going and I kept going.	
16	Q.	How far did your vehicle travel after the	
17		contact?	
18	Α.	I don't know.	
19	Q.	Do you know how far the red car traveled?	
20	Α.	When it happened I said wait, we have to	
21		stop. She had pulled out or whatever	
22		happened and I kept after her. When I saw	
23		her car I stopped. I pulled my car over.	
24	Q.	Eventually the red car came to a stop	
25		somewhere on Route 32?	

1		F. CREEM	37
2	Α.	Yes. When they took me out of the car. I	
3		didn't move.	
4	Q.	What hospital did you go to?	
5	Α.	Benedictine in Kingston. Like I said, I was	
6		rooted to that spot.	
7	Q.	Before the contact occurred and you started	
8		to apply your brake as you described, do you	
9		recall immediately before you began to apply	
10		the brake what speed you were traveling at?	
11	Α.	About 45 or 50. Approximately from what I	
12		remember.	
13	Q.	Can you tell me if the speed of your vehicle	
14		changed as a result of you applying the	
15		brake at any time before the contact?	
16	Α.	Not enough.	
17	Q.	What do you mean not enough?	
18	Α.	I applied the brake, but to me I just didn't	
19		like what was going on. I wanted to do	
20		better than that. It didn't.	
21	Q.	Can you tell me if it changed speed at all	
22		as a result of you applying the brake?	
23	Α.	Truthfully, I don't know. I think it did,	
24		but not enough to make me happy.	
25	Q.	Did you (interrupted)	
	1		

1		F. CREEM	40
2	Α.	No.	
3	Q.	Did you ever have any other conversations	
4		with the driver of the red car?	
5	Α.	No.	
6		MR. GIANNINI:	
7		Thank you very much.	
8		MR. KONDULIS:	
9		I have just a few questions.	
10	EXAMIN	ATION BY MR. KONDULIS:	
11	Q.	If I understand you correctly, at the time	
12		there was the contact in front of your	
13		vehicle and the rear of the red car, was the	
14		red car still moving was it stopped or	
15		moving?	
16	Α.	Moving, I guess.	
17	Q.	At the time of that contact between the	
18		front of your vehicle and the rear of the	
19		red car, could you estimate how fast your	
20		vehicle was moving at that point, the speed	
21		of your vehicle?	
22		MR. O'SHAUGHNESSY:	
23		Do you have an approximation?	
24	MR. KO	NDULIS:	
25	Q.	Do you know?	

1		F. CREEM	41
2	Α.	Maybe 40.	
3	Q.	At the time that contact took place with the	
4		front of your vehicle and the rear of the	
5		red car, was that white truck still in the	
6		area?	
7	Α.	I didn't I was busy concentrating on the	
8		red car because she was in front of me.	
9	Q.	You mentioned a white truck before.	
10	Α.	To me the white truck was gone. All I saw	
11		was her car. When I hit it I saw her move	
12		and then the road was empty.	
13	Q.	Can you estimate approximately for how long	
14		you had been traveling behind the red car?	
15		MR. O'SHAUGHNESSY:	
16		From the time she first saw it?	
17		MR. KONDULIS:	
18		Yes.	
19	Q.	From the time you first saw it until the	
20		time the actual contact took place?	
21	Α.	I don't remember when I first saw it. It	
22		was quite a distance.	
23	Q.	While you were traveling behind the red car,	
24		were you was your vehicle always directly	
25		behind the red car or were there other cars	
	l .		